

REMARKS

Claims 1 and 4-11 are pending in the application. In the Final Office Action of September 22, 2005, the Examiner made the following disposition:

- A.) Rejected claims 1 and 5-11 under 35 U.S.C. §103(a) as being unpatentable over *Chaloner-Gill* in view of *Bullock et al.* and further in view of *Kamauchi et al.*
- B.) Rejected claim 4 under 35 U.S.C. §103(a) as being unpatentable over *Chaloner-Gill* in view of *Bullock et al.* in view of *Kamauchi et al.* and further in view of *Wedlake*.

Applicants respectfully traverse the rejections and address the Examiner's disposition below.

- A.) Rejection of claims 1 and 5-11 under 35 U.S.C. §103(a) as being unpatentable over *Chaloner-Gill* in view of *Bullock et al.* and further in view of *Kamauchi et al.*:

Applicants respectfully disagree with the rejection.

Referring to Applicants' Figure 1 as an illustrative example, claim 1 has been amended to clarify that the battery element 1 has a first end at which first wound edges are located and a second end, which is opposite the first end, at which second wound edges are located. A first gas absorbable member 5 is positioned at the first end of the battery element adjacent the first wound edges of the battery element. A second gas absorbable 6 member is positioned at the second end of the battery element adjacent the second wound edges of the battery element.

This is clearly unlike *Chaloner-Gill* in view of *Bullock*, which fails to disclose or suggest Applicants' claimed first and second gas absorbable members. Referring to *Chaloner-Gill* Figures 1 and 3, *Chaloner-Gill* discloses panels 30 and 31 that are positioned on opposite sides of a battery. The panels 30 and 31 are laminated films that include a gas absorbable material. Applicants' claimed invention claims a laminated film, as well as, first and second gas absorbable members. *Chaloner-Gill* fails to even suggest the claimed gas absorbable members. Instead, *Chaloner-Gill* merely teaches a laminated film. Thus, *Chaloner-Gill* fails to disclose or suggest claim 1.

Bullock also fails to disclose or suggest Applicants' claimed first and second gas absorbable members. Therefore, *Chaloner-Gill* in view of *Bullock* still fails to disclose or suggest claim 1.

Claims 5-11 depend directly or indirectly from claim 1 and are therefore allowable for at least the same reasons that claim 1 is allowable.

Applicants respectfully submit the rejection has been overcome and request that it be withdrawn.

B.) Rejection of claim 4 under 35 U.S.C. §103(a) as being unpatentable over *Chaloner-Gill* in view of *Bullock et al.* in view of *Kamauchi et al.* and further in view of *Wedlake*:

Applicants respectfully disagree with the rejection.

Applicants' independent claim 1 is allowable over *Chaloner-Gill* in view of *Bullock et al.* as discussed above. *Wedlake* still fails to disclose or suggest Applicants' claimed first and second gas absorbable members. Therefore, *Chaloner-Gill* in view of *Bullock et al.* and further in view of *Wedlake* still fails to disclose or suggest claim 1.

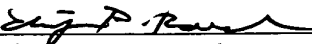
Claim 4 depends directly or indirectly from claim 1 and is therefore allowable for at least the same reasons that claim 1 is allowable.

Applicants respectfully submit the rejection has been overcome and request that it be withdrawn.

CONCLUSION

In view of the foregoing, it is submitted that claims 1 and 4-11 are patentable. It is therefore submitted that the application is in condition for allowance. Notice to that effect is respectfully requested.

Respectfully submitted,

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